REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-9 are pending in the present application. Claims 1 and 3-9 are amended to correct minor informalities by the present amendment. Claim 10 was previously canceled.

In the outstanding Office Action, Claims 1-10 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. Patent No. 6,693, 875; and Claims 1-10 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,549,78 to Cheung et al. (herein "Cheung").

Initially, Applicants note that the outstanding Office Action does not appear to acknowledge the Preliminary Amendment filed with the application on December 31, 2006. A copy of that Preliminary Amendment appears in the Image File Wrapper (IFW) available by USPTO Public PAIR. In the Preliminary Amendment, the specification was amended, Claim 10 was canceled and Claims 1-9 were amended to rewrite the claims without means-plus-function language. However, the Office Action includes a discussion of cancelled Claim 10 and also paraphrases amended Claims 1-9 using the un-amended claim language.

Accordingly, the claim amendments in the present amendment are made with respect to the version of claims recited in the Preliminary Amendment, filed December 31, 2006, and Applicants respectfully request that Preliminary Amendment be appropriately considered.

In response to the obviousness-type double patenting rejection, a Terminal Disclaimer is enclosed, as suggested in the Office Action. The Terminal Disclaimer disclaims the terminal part of any patent granted in this application which would extend beyond the expiration date of U.S. Patent No. 6,693,875. Accordingly, Applicants respectfully request the obviousness-type double patenting rejection be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-10 under 35 U.S.C. § 102(e) as anticipated by Cheung.

Claim 1 is directed to a communication network system that includes, in part, a relay terminal having transmitting and receiving devices configured to perform only one-to-one communication. Claims 4 and 8 are directed to communication network systems that include similar features, and Claim 9 is directed to a relay terminal including similar features.

On the other hand, Cheung indicates that

> [t]he invention provides for an internetworking node which can either directly relay a message from one wireless node to another wireless node, or forward such messages indirectly by first resending them to another such internetworking node which in turn resends the message to the other wireless node.[1]

That is, Cheung merely indicates a data relay method in a wireless LAN system. However, Applicants respectfully submit that Cheung does not teach or suggest any "one-to-one communication" as described in this application.

Further, Applicants respectfully traverse the implication in the Office Action that Cheung's Access Point (AP) is equivalent to a relay terminal as recited in the independent Claims 1, 4, 8 and 9.[2] In addition, Applicants respectfully traverse the assertions in the Office Action that Cheung discloses that "Aps serve as nodes to resend [i.e., relay transmission of data] to other distant nodes" and that "each node further includes its own transmission and receiving means to redirect or resend information to other nodes."[3] Further, Applicants respectfully traverse the conclusion in the Office Action that Cheung discloses the second transmitting device and the second receiving device as recited in the independent claims.[4]

Cheung indicates that

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[1] Cheung at column 3, lines 22-27.
[2] Office Action at page 3, last five lines.
[3] Office Action at page 3, 5th line from bottom, to page 4, line 3.
[4] Office Action at page 3, last line, to page 4, line 7.

> Once an AP has received a request from a sending node, which it is associated with, to forward a data packet, the AP will check to see if the destination node is also associated with this AP . . . If not, the AP will resend the data packet, which is still addressed to the destination node, onto the wired network.[5]

In addition, Cheung indicates that "whenever an AP overhears a broadcast packet on the wired LAN, it retransmits the packet to all wireless nodes associated with it."[6]

In other words, Cheung indicates that APs perform one-to-many communication (i.e., one-to-N communication) on the wired network and one-to-many communication on the wireless network. Thus, Applicants respectfully submit that Cheung fails to teach or suggest "the second transmitting device configured to perform only one-to-one communication" and "the second receiving device configured to perform only one-to-one communication," as recited in the independent claims. Accordingly, Cheung also fails to disclose the received-information relay device as recited in the claims.

In addition, Applicants respectfully traverse the assertion in the Office Action that the relay terminal storage device is disclosed by Cheung in column 3, lines 30-67; column 4, lines 10-49; and column 6, line 55 to column 9, line 7.[7] However, the Office Action fails to point out in detail what element or disclosure of Cheung corresponds to the relay terminal storage device.

On the other hand, Cheung indicates that "[e]ach AP maintains a table, called its (Basic Service Set) BSS table, of all wireless nodes which it is associated with."[8] However, Cheung does not teach or suggest that one AP stores relay situations between another AP and wireless nodes. Therefore, Applicants respectfully submit that Cheung also does not teach or suggest "a relay terminal storage device configured to store . . . relay situations of the relay terminals," as recited in Claims 1, 4, 8 and 9.

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[5] Cheung at column 4, lines 43-49.
[6] Cheung at column 4, lines 53-55.
[7] Office Action at page 4, second line from bottom, to page 5, line 3.
[8] Cheung at column 8, lines 10-11.

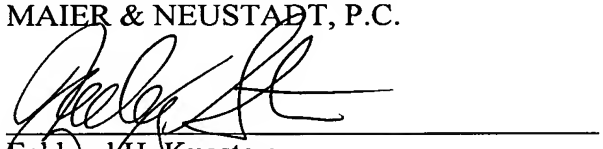
Furthermore, Cheung is silent regarding any AP capability to discontinue the AP provided relay services. Accordingly, Applicants respectfully submit that Cheung also fails to teach or suggest "wherein when the relay terminal which is providing the relay services discontinues the relay services, the changing device refers to the relay terminal storage device to determine whether an available relay terminal is present or absent," as recited in independent Claims 1, 8 and 9.

Accordingly, Applicants respectfully submit that independent Claims 1, 4, 8 and 9, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Zachary S. Stern
Registration No. 54,719

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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